

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: CHRISTINE MARIE WILKINSON

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

vs.

CHRISTINE MARIE WILKINSON

CASE NO: 1-18-01053-RNO

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE WITH PREJUDICE

AND NOW, on November 9, 2018, Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, by and through his attorney James K. Jones Esquire, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case with prejudice.

1. A Petition under Chapter 13 was filed on March 15, 2018.
2. The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).

In addition to the petition filed in this case, ~~debtor(s)~~ ^{A CONFIRMABLE PLAN} filed petitions docketed to the following cases:

Case Number: 1-17-01003-HWV
Counsel: DAWN MARIE CUTAIA, ESQUIRE
Filing Date: 03/16/17 Date Dismissed: 01/24/18
Total Payments: \$910.00 Chapter: 13
Result: Dismissed for failure to make plan payments

Case Number: 1-16-00122-RNO
Counsel: DAWN MARIE CUTAIA, ESQUIRE
Filing Date: 01/14/16 Date Dismissed: 06/02/16
Total Payments: \$0.00 Chapter: 13
Result: Dismissed for failure to appear at Section 341 meetings of creditors

Movant believes and avers that, under the totality of the circumstances, debtor(s) demonstrated substantial abuse and a lack of good faith in the filing of two (2) prior Chapter 13 petitions within a two (2) year period that this Court dismissed prior to completion and filed the current petition thereafter.

Notice of conference, and/or hearing and other instructions are included with this Motion to Dismiss with Prejudice.

WHEREFORE, Movant requests this Honorable Court to:

1. Enter an Order dismissing the above-captioned case and,

2 Dismiss this case with prejudice with regard to debtor(s) filing a subsequent petition under the Bankruptcy Code in this district without prior leave of this Court for a period of 180 days from the entry of this dismissal.

Respectfully submitted,
James K. Jones, Esquire
Id: 39031
Attorney for Trustee
Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: jjones@pamd13trustee.com

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CHAPTER 13

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CASE NO: 1-18-01053-RNO

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

MOTION TO DISMISS WITH PREJUDICE

NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss with Prejudice for failure to file:

A CONFIRMABLE PLAN
YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Bankruptcy Courtroom
Ronald Reagan Federal Bldg.
3rd Floor, 228 Walnut Street
Harrisburg, PA 17101

Date: December 5, 2018

Time: 10:00 AM

Objections/responses are due on or before November 23, 2018. The hearing as scheduled will be held regardless of any objections or responses having been filed.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: November 9, 2018

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WILKINSON

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CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on November 9, 2018, I served a copy of this Motion to Dismiss with Prejudice, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

DAWN MARIE CUTAIA, ESQUIRE
115 EAST PHILADELPHIA STREET
YORK, PA 17401-

SERVED ELECTRONICALLY

United States Trustee
228 Walnut Street
Suite 1190
Harrisburg, PA 17101

SERVED ELECTRONICALLY

CHRISTINE MARIE WILKINSON
757 GABLERS RD
GARDNERS, PA 17324

SERVED BY 1ST CLASS MAIL

Respectfully submitted,
Vickie Williams
for Charles J. DeHart, III, Trustee
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
eMail: dehartstaff@pamd13trustee.com

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IN RE: CHRISTINE MARIE WILKINSON

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III
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vs.

CHRISTINE MARIE WILKINSON

MOTION TO DISMISS WITH PREJUDICE

Respondent(s)

ORDER DISMISSING CASE WITH PREJUDICE

Upon consideration of the Trustee's Motion to Dismiss with Prejudice, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED WITH PREJUDICE. Debtor is hereby BARRED from filing in this district for a period of 180 days from the date of this order without prior court order.